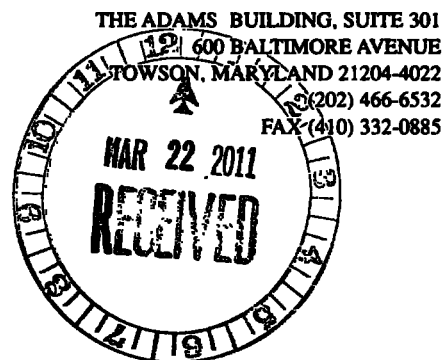


**LAW OFFICES OF
LOUIS E. GITOMER**

LOUIS E. GITOMER
LOU_GITOMER@VERIZON.NET

March 22, 2010

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423



Re: **Docket No. AB-55 (Sub-No. 705X), CSX Transportation, Inc.—
Discontinuance of Service Exemption—in Pinellas County, FL**

Dear Ms. Brown,

229019

Enclosed are the original and 10 copies of a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to discontinue service of an approximately 0.45-mile rail line on its Southern Region, Jacksonville Division, Clearwater Subdivision, between near 16th Street North, milepost ARE 897.55, and 1st Avenue South and Dr. Martin Luther King Street, milepost ARE 898.00, in St. Petersburg, Pinellas County, FL. Also enclosed are a check for the filing fee of \$3,600, and a computer diskette containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,

Louis E. Gitomer, Esq.
Attorney for CSX Transportation, Inc.

Enclosure

ENTERED
Office of Proceedings

MAR 22 2011

Part of
Public Record

FILED

MAR 22 2011

**SURFACE
TRANSPORTATION BOARD**

FEE RECEIVED

MAR 22 2011

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 705X)

CSX TRANSPORTATION, INC.-DISCONTINUANCE OF SERVICE EXEMPTION-
IN PINELLAS COUNTY, FL

VERIFIED NOTICE OF EXEMPTION



Steven Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: March 22, 2011

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 705X)

CSX TRANSPORTATION, INC.–DISCONTINUANCE OF SERVICE EXEMPTION–
IN PINELLAS COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to discontinue service over an approximately 0.45-mile rail line on its Southern Region, Jacksonville Division, Clearwater Subdivision, between near 16th Street North, milepost ARE 897.55, and 1st Avenue South and Dr. Martin Luther King Street, milepost ARE 898.00, in St. Petersburg, Pinellas County, FL (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can and has been rerouted.

1. Proposed consummation date. The proposed consummation date is May 16, 2011.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

- (1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to discontinue service over an approximately 0.45-mile rail line on its Southern Region, Jacksonville Division, Clearwater Subdivision, between near 16th Street North, milepost ARE 897.55, and 1st Avenue South and Dr. Martin Luther King Street, milepost ARE 898.00, in St. Petersburg, Pinellas County, FL. There are no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgrailaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 33707.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be discontinued are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT is proposing to discontinue service on the Line in cooperation with the City of St. Petersburg. The Line has been inactive. In order to alleviate traffic congestion at highway-rail grade crossings and allow school buses to flow freely through intersections without having to stop at railroad crossings, CSXT has agreed to discontinue service and allow the at-grade crossing to be paved over. Since CSXT is retaining the Line for future reactivation if demand for rail service resumes, the Line is not available for public purposes. *Central Illinois Railroad Company—Discontinuance of Service Exemption—in Cook County, Ill.*, Docket No. AB 1066 (Sub-No. 2X) (STB served November 16, 2010) at 3.

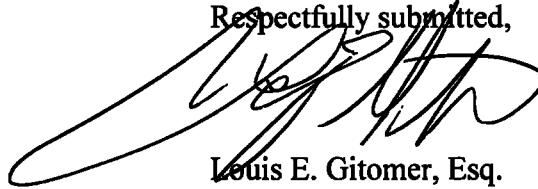
4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed discontinuance will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. CSXT is not salvaging the track and materials on the Line. It is merely removing the rail from grade crossings to allow the City of St. Petersburg to pave over the crossings. Because the Line has not been used in several years, there will be no diversion of traffic from rail to truck. Therefore, CSXT does not have to prepare or file an Environmental Report. 49 C.F.R. 1105.6(c)(2).

7. Historic Report. CSXT is discontinuing service over the Line. It is not salvaging the track and materials on the Line. There will be no impact on historic properties. Therefore, CSXT does not have to prepare or file an Historic Report. 49 C.F.R. 1105.8(a).

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Louis E. Gitomer, is written over the words "Respectfully submitted,".

Steven Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: March 22, 2011

EXHIBIT A

CRIMINAL JUSTICE SECTION (JCS-20)
VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS

STATE OF FLORIDA

COUNTY OF PALM

I, Ellen M. Paster, being duly sworn, depose and state that I am a manager for CSX
Coastal Network Corporation, a subsidiary of CSX Transportation, Inc. ("CSXT") and I am authorized
to make this verification and that I have read the foregoing notice of deposition and know the
facts asserted therein are true and accurate or stated to the best of my knowledge and belief in verification
and belief.

I hereby certify that local traffic has not over 22/7.0-45 miles and the on the
Southern Region, Jacksonville Division, Clearwater Subdivision from railroad milepost 807.54
807.54 to the end of track at Railroad Milepost ARB 808.0 in St. Petersburg, Florida (enough
Florida for at least two years prior to the date hereof). Since this is not a through line, no
overhead traffic has operated thereon, none needs to be recorded, and no other track within the
local complaint filed by a user of rail service on the line for a State or local government entity
acting on behalf of such user) regarding cessation of service over the time period is pending with
the Surface Transportation Board or any U.S. District Court or has been decided in favor of
complaintant within the two-year period. The foregoing certification is made on behalf of CSXT
by the undersigned after due and careful investigation of the matters herein certified as true and
on the best of the knowledge, information and belief of the undersigned.

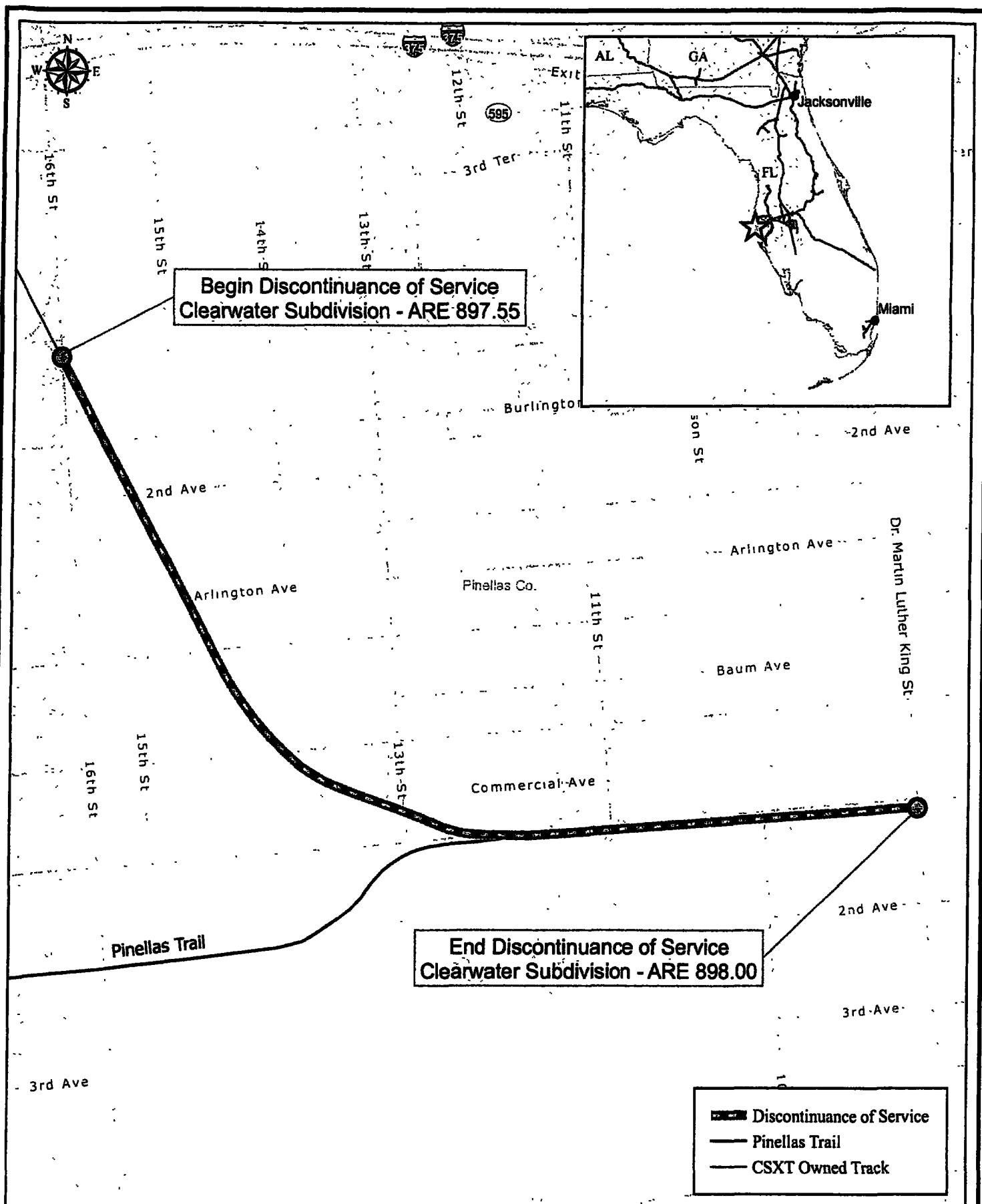
Ellen M. Paster
Ellen M. Paster

My Commission Expires: 12-31-2011
Notary Public
day of March, 2011
SUBSCRIBED AND SWORN TO before me this day of March, 2011.



EXHIBIT B

MAP



Map Requests: gis@csx.com



Discontinuance of Service **CLEARWATER SUBDIVISION** CSX Transportation, Inc.

ARE 897.55 - ARE 898.00

St. Petersburg, Pinellas County, Florida. STB Docket No. AB 55 (705X)

Creation Date: January 19, 2011

0 200 400
Feet

FL-103-1043612

EXHIBIT C

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed discontinuance of service in Docket No. AB-55 (Sub-No. 705X) was mailed via first class mail on March 11, 2011, to the following parties:

State Public Service Commission

The Florida Department of Transportation
Mr. Fred Wise, Manager
Rail Office
605 Suwannee Street, MS-25
Tallahassee, FL 32399-0450

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, 62225-5357

National Park Service

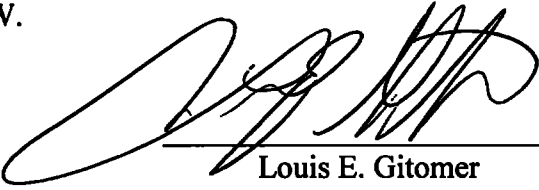
Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

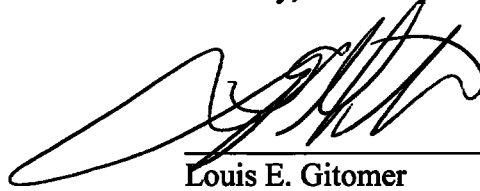
U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Louis E. Gitomer
March 22, 2011

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed discontinuance of service in Docket No. AB-55 (Sub-No. 705X) was advertised on March 18, 2011 in the St. Petersburg Times, a newspaper of general circulation in Pinellas County, FL as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read 'Louis E. Gitomer', is written over a horizontal line.

Louis E. Gitomer
March 22, 2011

CSX Transportation, Inc. ("CSXT") hereby gives notice that on or about March 22, 2011, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments permitting CSXT to discontinue service over a 0.45 mile rail line on its Southern Region, Jacksonville Division, Clearwater Subdivision, between near 16th Street North, milepost ARE 897.55, and 1st Avenue South and Dr. Martin Luther King Street, milepost ARE 898.00, in St. Petersburg, Pinellas County, FL, which traverses through United States Postal Service ZIP Code 33707. This proceeding will be docketed as No. AB-55 (Sub-No. 705X).

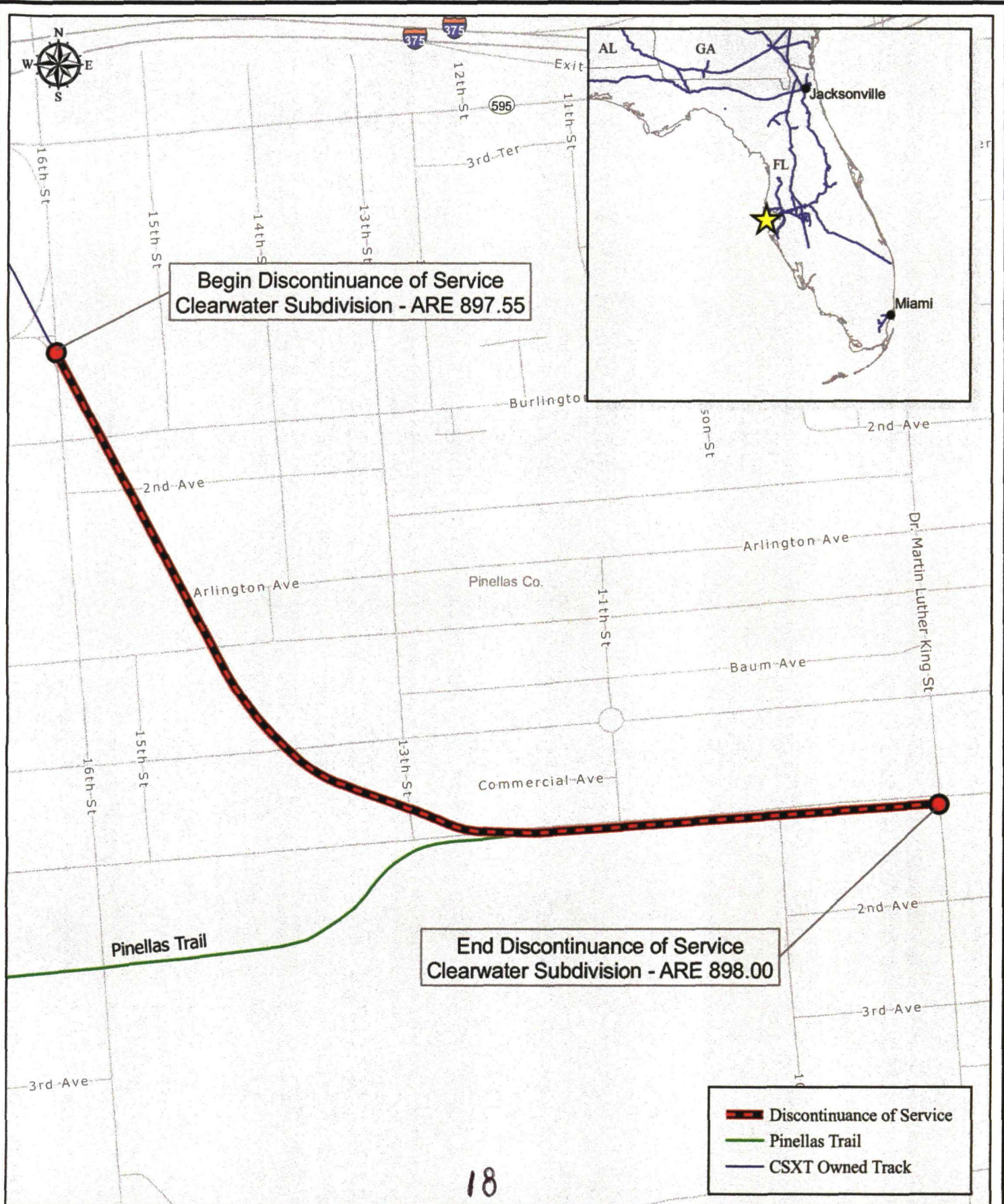
The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-0295. In this proposed transaction, CSXT does not expect OEA to prepare an EA because the proposed discontinuance of service meets the criteria of 49 C.F.R. 1105.6(c)(2).

Appropriate offers of financial assistance can be filed with the Board. Requests for environmental conditions also can be filed with the Board. As the proposed transaction is a discontinuance of service, requests for public use conditions or rail banking/trails are not appropriate. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0233. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, 410-296-2250, Lou@lgrailaw.com.

**EXHIBIT D— ENVIRONMENTAL REPORT
NONE REQUIRED**

**EXHIBIT E- HISTORIC REPORT
NONE REQUIRED**

EXHIBIT F—COLOR EXHIBITS



18

Map Requests: gis@csx.com



Discontinuance of Service **CLEARWATER SUBDIVISION**

CSX Transportation, Inc.

ARE 897.55 - ARE 898.00

St. Petersburg, Pinellas County, Florida. STB Docket No. AB 55 (705X)

Creation Date: January 19, 2011

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FL-103-1043612